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BY ECF

MEMO ENDORSED

April 3, 2023

The Honorable Laura Taylor Swain
United States District Court, SDNY
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, New York 10007

Re: United States v. Frank Fontana
CR 21-00371 (LTS)

Your Honor:

I represent defendant Frank Fontana in the above matter.

Kindly accept this request to adjourn the change of plea hearing presently scheduled for Thursday, April 6, 2023 at 10:00 a.m. to April 24, 25, 26 or 28 at 2:00 p.m. or later or anytime on April 27, 2023. This request is needed in order to submit a supplemental memorandum regarding the defendant's custody status post entry of his plea of guilty pursuant to 18 USC Sec. 3142(f)(1)(A).

AUSA Jacob Gutwillig consents to this application. The defendant hereby waives his speedy trial rights from April 3, 2023 to the next date set by the Court.

Please contact my office if you are in need of anything further to accommodate this request.

The foregoing request is granted for the reasons stated above. The conference is hereby rescheduled for April 28, 2023, at 2 p.m. The Court finds pursuant to 18 U.S.C. section 3161(h)(7)(A) that the ends of justice served by an exclusion from today's date through April 28, 2023, outweigh the best interests of the public and the defendant in a speedy trial for the reasons state above. Docket entry no. 80 is resolved. SO ORDERED.

Dated: April 4, 2023

/s/ Laura Taylor Swain, Chief U.S.D.J.

Respectfully submitted,


ANTHONY M LA PINTA

AML/mef

cc: AUSA Jacob Gutwillig (By ECF)